



**Washington State
Department of Transportation**

Paula Hammond
Secretary of Transportation

**Alaskan Way Viaduct & Seawall
Replacement Program Office**
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May 2, 2012

Seattle Tunnel Partners
999 Third Avenue, Suite 2424
Seattle, WA 98104
ATTN: Chris Dixon

Subject: SR 99 Bored Tunnel Alternative Design-Build Project
Contract No. 007999 / Federal-Aid No. BR-NH-STP-STPF-0099(111)
Dollar Value of DBE Goal

WSDOT Ref: W-G-GEN-GEN-CR08-0000866-01

Dear Mr. Dixon,

As provided in Design-Build Contract Section 8.2.1, WSDOT has established a DBE goal for the Contract in the amount of eight percent of the compensation payable to Design-Builder. WSDOT has recently evaluated the intent of this goal and determined that for the purposes of calculating DBE Participation "compensation payable to Design-Builder" shall be equal to the Total Proposal Price shown on STP's Price Proposal (\$1,089,700,002) plus the value of the South U-Section Fund (\$50,000,000), or \$1,139,700,002. Eight percent of \$1,139,700,002 is \$91,176,000.

In accordance with Design-Build Contract Appendix 6, prior to completion of the contract, the Design-Builder shall show it has met the DBE goal of \$91,176,000 for the Project or the Design-Builder must provide satisfactory evidence that it has made good faith efforts to meet the goal. Please consult 49 CFR 26, Appendix A, paragraph IV for guidance on the demonstration of good faith efforts. (A copy of Appendix A to Title 49 Part 26 is attached for your convenience.)

Also, it is WSDOT's expectation that the Work performed under significant monetary change orders will include DBE participation or demonstrated good faith efforts for those Work activities. WSDOT may make that expectation contractual through change orders if deemed necessary and appropriate.

Please contact me at your convenience if you have any questions about the clarifications provided in this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian D. Nielsen".

Brian D. Nielsen, PE
Contract Administrator
SR 99 Tunnel Project

Attachments: Appendix A to 49 CFR 26

cc: File, Alaskan Way Viaduct & Seawall Replacement Program
Greg Bell/John Huff MS 47314
Mellody Stell MS NB 82-126
Randy Dubigk MS 47354
Kathy Klingman MS NB82-230
Randy Everett FHWA